

III. REMARKS

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The Examiner is thanked for extending the courtesy of a telephone interview on December 5, 2005 during which he expressed a desire to have substantive arguments in writing. Thus this amendment has such arguments herein.

Claims 1-8 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The objectionable language has been deleted from claim 3. Thus it is submitted that claims 1-8 and 10 conform to 35 U.S.C. 112.

Claims 1-4, 6-8, 10-14, 16-19, 21-22, and 24 are rejected under 35 U.S.C. 102 (e) as being anticipated by Frid.

As stated in the last response, Frid does not disclose a data transmission connection between a terminal and an application server, nor setting up a message for maintaining the data transmission connection between said terminal and said application server in connection with establishing the circuit-switched telecommunications connection, nor starting the setting up of the message maintaining the data transmission connection in the terminal.

Nevertheless, the Examiner argues that Frid discloses an application server, which is instructed to maintain the data transmission connection; i.e., the Examiner refers to an ISP server providing the IP connection, which is used as the bearer connection for the actual data transmission connection between the terminal and the application server. Accordingly, this IP

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connection used as the bearer connection equals the packet data transmission connection defined in the present claim 1. The present invention relates to the actual data transmission connection (the application data), which is transferred above the IP connection.

Frid does not teach informing the applications of the application server that a bearer connection will be interrupted, and the data connection should be maintained. Fig. 3, to which the Examiner refers, does not disclose any application server which would be notified of the interruption. Particularly, the message 318 is a message indicating acceptance of the incoming voice call (col. 7, lines 31-35). It is not a message for maintaining the first data transmission connection between said terminal and said application server, as is defined in the present claim 1.

Furthermore, Frid addresses the problem of the timed-out connections (col. 8, line 39), while at the same time Frid admits that the Frid's solution does not work, if the connection has been timed out (on the server side). Accordingly, Frid does not teach informing the applications that the bearer connection is temporarily cut off, which is the reason why Frid's solution does not solve the problem of timed-out connections. A skilled man would not receive any hints for solving these problems from Frid since Frid is silent about indicating to the applications that the computer connection should be maintained as recited in claims 1, 11, 18, and 24.

For all of the above reasons, the rejection of claims 1-4, 6-8, 10-14, 21-22 and 24 under 35 U.S.C. 102 on Frid should be withdrawn.

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Also, as explained above, Frid does not suggest the above limitations since it does solve the same problems as the present invention. Thus these claims are not obvious over Frid.

Claims 5, 15, and 20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Frid in view of Chen.

Chen discusses only circuit switched call signalling. In the first place, there is a two-party telephone call, whereby Chen provides a solution as to how to add a third party to an existing two party telephone conversation (col. 6, lines 15-63). Even then, all the terminals in Chen have only an active connection instead of two connections. Chen does not even mention a data connection. Thus, a skilled man has no motivation combine Chen with Frid, but even if nevertheless combined, such a combination would not give a skilled man any hints for indicating to an application server that a bearer connection will be interrupted, and the data connection should be maintained.

Thus the rejection of claims 5, 15 and 20 should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. At the least an entry for appeal purposes is requested since no new search is required. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

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Respectfully submitted,

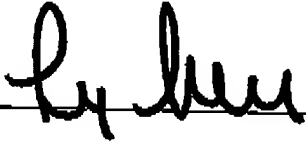
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